

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF SOUTH CAROLINA  
 COLUMBIA DIVISION

Marjorie Redmond,	)	Civil Action No. <u>3:24-cv-06295-MGL</u>
	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>DEFENDANT'S RESPONSES TO</b>
	)	<b>RULE 26.01 INTERROGATORIES</b>
Bio-Medical Applications of	)	
South Carolina, Inc. d/b/a	)	
Fresenius Kidney Care Midtown.	)	
	)	
Defendant.	)	
	)	

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Defendant Bio-Medical Applications of South Carolina, Inc. d/b/a Fresenius Kidney Care Midtown, by and through its undersigned counsel, responds to Local Rule 26.01 Interrogatories as follows:

**LOCAL RULE 26.01 INTERROGATORIES**

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

**ANSWER:** **Defendant is not aware of any person or legal entity which may have a subrogation interest in Plaintiff's claims. However, Defendant reserves its right to amend this response if such an interest is later discovered.**

(B) As to each claim, state whether it should be tried jury or nonjury and why.

**ANSWER:** **Plaintiff has requested a jury trial. Defendant does not oppose Plaintiff's request for a trial by jury if the causes of action have not already been dismissed pursuant to any motion by Defendant and are otherwise appropriate to be tried by a jury.**

(C) State whether the party submitting these responses is a publicly-owned company

and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.

**ANSWER: Defendant is not a publicly-owned company. Defendant is a wholly owned subsidiary of Bio-Medical Applications Management Company, Inc., which is not a publicly held corporation. Defendant is not a parent of any publicly-owned company. Defendant does not own ten percent or more of the outstanding shares of any publicly-owned company.**

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

**ANSWER: Because this case was pending in the Court of Common Pleas in Richland County, removal is proper to the Columbia Division pursuant to 28 U.S.C. § 121(11).**

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reasons would entail substantial duplication of labor if heard by different judges.

**ANSWER: Defendant is not aware of any other action filed in this District and related to this matter.**

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

**ANSWER: Defendant is properly identified.**

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

**ANSWER: At this time, Defendant does not contend that another person or legal entity is liable. Defendant, however, expressly reserves the right to later identify a person or legal entity who may be liable to either Plaintiff or Defendant upon discovery of such person or other legal entity.**

(H) Parties or Intervenors in a Diversity Case. In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court’s jurisdiction under § 1332(a).

**ANSWER: Defendant is a foreign corporation organized under the laws of the State of Delaware with its primary place of business in the Commonwealth of Massachusetts.**

Respectfully submitted,

FISHER & PHILLIPS LLP

s/ George A. Reeves III

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ATTORNEYS FOR DEFENDANT

Dated this 1st day of November 2024.